



Development Density Options and Recommendations

**Shoreland Lot Sizes
Impervious Surfaces
Nonconforming Lots
Setback Averaging**

June 24, 2003 Advisory Committee Meeting

Nonconforming Lots

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Nonconforming Lot Issues

- How can we ensure equity in zoning while still allowing reasonable use of the lot?
- What is reasonable use (size of structure) of a nonconforming lot?
- How do we mitigate the impacts of developing on a smaller lot to meet the objectives of the program?
- Is it better to use permitting standards rather than the variance process?

Impacts of Not Regulating Nonconforming Lots

- Without regulations specific to nonconforming lots, property owners will be forced to use the variance process to build.
- With the addition of nonconforming lot provisions the development on a smaller lot can be offset by the required mitigation therefore, protecting and preserving water quality and wildlife habitat.

Guiding Principles

- A nonconforming lot can be developed if the proposed structure can comply with all other regulations, including applicable setbacks
- If the lot does not have a compliant building location, then a formula may be used to reduce the roadway and OHWM setbacks. [this setback reduction provision is intended to minimize the need for variances]

Guiding Principles

- Construction on a nonconforming lot requires implementation of mitigation practices and
- A mitigation end-point will be defined incorporating credits for good stewardship

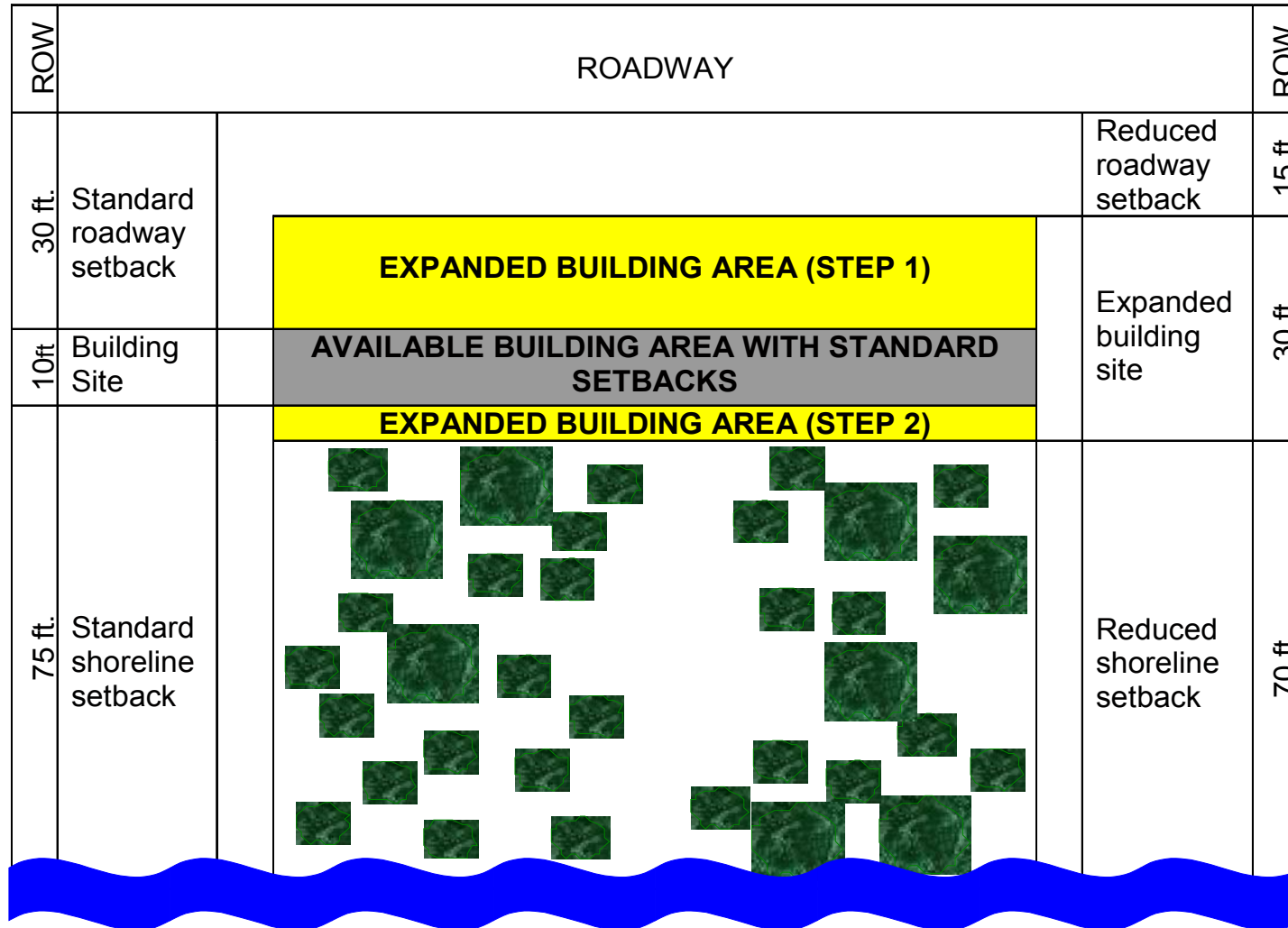
Recommended Regulations

The Department recommends that a pre-existing legally created lot can be developed if the proposed structure can comply with all other regulations, including applicable setbacks. If the lot does not have a compliant building location, then a formula may be used to reduce the roadway and OHWM setbacks to provide a 30-foot deep building envelope, with the application of the following provisions:

Recommended Regulations

- The road setback is first reduced by a maximum of one-half of the total setback
- If necessary, the OHWM setback may then be reduced by a maximum of one-third of the total setback
- No accessory structures are allowed in the 30-foot deep building envelope except for attached garages
- The primary buffer must be preserved or restored
- Mitigation practices are implemented

Reduction Formula



Recommended Regulations

In addition to preserving or restoring the primary buffer, the county may require additional mitigation measures based on the scope and location of the proposed project.

Mitigation End-Point

- For future projects that would otherwise require mitigation, if the property owner continues to maintain the primary buffer and any additional mitigation practices required by the county, implementation of additional mitigation practices will not be required.

Nonconforming Lots

- Does the committee support such an approach?

Yes 20 - No 1

- If yes, as constructed in options package?

Yes 13 - qualified yes 2

No 5 - qualified no 1

We will apply the same mechanisms for
nonconforming lots to complying lots with no
building location.

Yes 13

No 5